

Attorney Docket No. 01196/LH

**IN THE UNITED STATES PATENT  
AND TRADEMARK OFFICE**

Applicant(s): S. NAGATOMO et al.

Serial No. : 09/823,134

Filed : March 30, 2001

For : NON-CIRCULAR RECORDING MEDIUMS  
AND METHODS AND APPARATUS FOR  
CONTROLLING THE NON-CIRCULAR  
RECORDING MEDIUMS

Art Unit : 2655

Examiner : PATEL, GAUTAM

**RESPONSE- 37 CFR 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
MAIL STOP NON-FEE AMENDMENT

S I R :

This is responsive to the Office Action mailed  
August 28, 2003, the term for response to which expires on  
September 28, 2003.

**ELECTION**

Applicants hereby elect Invention B, and Species 1 (Fig. 14)  
for further prosecution on the merits, without traverse.

**CLAIMS READABLE ON ELECTED SPECIES**

The claims readable on elected Invention B and Species 1,  
are claims 1-6.

CERTIFICATE OF FACSIMILE  
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TOTAL PAGES: 2  
I hereby certify that this  
paper is being facsimile  
transmitted to the  
Commissioner for  
Patents Office  
on the date noted below.

*N Sahadeo*  
Nalini P. Sahadeo

Dated: September 11, 2003

In the event that this Paper  
is late filed, and the  
necessary petition for  
extension of time is not filed  
concurrently herewith, please  
consider this as a Petition  
for the requisite extension of  
time, and to the extent not  
tendered by check attached  
hereto, authorization to  
charge the extension fee to  
Account No. 06-1378.

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*Claims 1-5  
called  
Leonard Holtz to  
confirm  
10/23/03*

For the Examiner's information, elected Invention B corresponds to Figs. 1-15C, and elected Species 1 corresponds to Fig. 14.

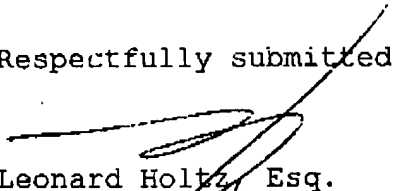
Applicants have informed the undersign that the original inventorship is still correct for the elected subject matter.

If a generic claim is ultimately found to be allowable, it is requested that the Examiner consider claims directed to non-elected species and/or inventions, so long as such claim depend from or otherwise include the subject matter of an allowable generic claim.

It is respectfully submitted that this submission is fully responsive to the outstanding Office Action. It is respectfully requested that prosecution on the merits now proceed on the basis of the election set forth hereinabove.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

  
Leonard Holtz, Esq.  
Reg. No. 22,974

September 11, 2003

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